

**Thursday, October 29, 2015**

The following action minutes are listed as they were acted upon by the Planning Commission and as listed on the agenda for the Regular Meeting of 9:00 AM, together with the maps and staff reports attached thereto and incorporated therein by reference.

Hearings are advertised for 9:00 a.m. Hearings generally proceed in the order listed, unless changed by the Planning Commission at the meeting.

**ROLL CALL:**

**PRESENT:** Jim Irving; Kenneth Topping; Eric Meyer; James Harrison; and Don Campbell

**ABSENT:** None

**PUBLIC COMMENT PERIOD**

1. Members of the public wishing to address the Commission on matters other than scheduled items may do so at this time, when recognized by the Chairman. Presentations are limited to three minutes per individual.

Eric Greening and Gary Kirkland: speak.

**PLANNING STAFF UPDATES**

2. This is the time set for Planning Staff updates.

Steve McMasters: updates Commissioners on their near term schedule and actions taken by the Board of Supervisors (BOS).

Rob Fitzroy, staff: provides further information about what the BOS adopted in regards to the Water Program.

Jim Irving: reports he will be absent for the January 28, 2016 Planning Commission meeting.

**CONSENT AGENDA:**

3. Consideration of a letter from the Planning Commission to the Board of Supervisors regarding rangeland management and carbon sequestration

Recommendation: Approval

Ken Topping opens Public Comment.

Eric Greening: reads language from a letter he has written as a suggestion to develop another letter.

Matt Janssen: addresses Consent Item 3.

Commissioners: begin deliberating the intent of the letter regarding rangeland management and feel the letter should be worked on further to address specific issues such as carbon sequestration.

Thereafter on **Motion by** Jim Irving, **Second by:** Eric Meyer, and on the following vote, the Commission requests staff return with this item at the December 10, 2015 Planning Commission meeting with another letter to address carbon sequestration.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

4. GENERAL PLAN CONFORMITY REPORT – the Planning Director has issued the following General Plan conformity report. This is a notice of a completed conformity report to the Planning Commission as required by Section B, Chapter 7 of Framework for Planning, Part 1 of the county Land Use Element, and is being provided for public information only. No action need be taken by the Planning Commission except to Receive and File the report. The decision to issue a General Plan conformity report is solely at the discretion of the Planning Director, although appeals of the Planning Director's determination may be made in accordance with the provisions of the Land Use Ordinance.

Notice of determination of conformity with the County General Plan for a request by the County of San Luis Obispo Parks and Recreation Department to acquire a 26-foot wide easement on a portion of APN 070-09-036 for development of a segment of the Juan Bautista De Anza National Historic trail between Santa Margarita and Garden Farms. The parcel is located in the Agriculture land use category in the Salinas River sub-area of the North County planning area.

County File Number: DTM2015-00002

Assessor Parcel Number: 070-09-036

Supervisory District: 5

Date Accepted: N/A

Project Manager: Megan Martin

Recommendation: Receive and file

Thereafter on **Motion by:** Jim Irving, **Second by:** Eric Meyer, and on the following vote the Commission Receive and file the determination that the proposed acquisition of an easement from the landowner to the County by the Parks and Recreation Department is in conformity with the County General Plan.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			

Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

**HEARINGS: (Advertised for 9:00 a.m.)**

5. Hearing to consider a request by the COUNTY OF SAN LUIS OBISPO to amend the County's Official Maps – Part III of the Land Use Element /Local Coastal Plan (Estero Area Plan) by adjusting the Urban Services Line to include the neighborhood of Monarch Grove. This amendment would allow the Monarch Grove neighborhood to be served by the Los Osos Wastewater Project. The area is located west of Pecho Valley Road and south of Monarch Lane in the neighborhood of Monarch Grove, in the community of Los Osos (Estero Area Plan). Also to be considered is the approval of the environmental document. A Class 1 categorical exemption was issued for this project.

County File Number: LRP2014-00021

APN(s): 074-028-001 thru 035; 074-027-001 thru 039; and 074-029-001 thru 015

Supervisory District: 2

Date Accepted: Not applicable

Project Manager: Kerry Brown

Recommend to the Board of Supervisors approval

Kerry Brown, Project Manager: presents staff report via a Power Point presentation.

Commissioners: begin asking questions of staff.

Ken Topping: opens Public Comment.

Roger Randall: speaks.

Commissioners: begin their deliberations.

John Waddell, Public Works: discusses the Assessment Engineers Report in terms of how definition of costs involved.

Roger Randall: discusses Home Owners Association (HOA) agreements in regards to hooking up to the sewer.

Thereafter on **Motion by:** Eric Meyer, **Second by:** Jim Irving, the Commission adopts the resolution recommending that the Board of Supervisors approve Land Use Element / Local Coastal Plan Amendment LRP2014-00021 as shown in Exhibit LRP2014-00021:B and based on the recommended findings listed in this report.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

6. Continued hearing to consider a request by JANNECK, LIMITED (LAETITIA AGRICULTURAL CLUSTER) for a Tentative Tract Map and Conditional Use Permit to allow an agricultural cluster subdivision of twenty-one parcels (totaling 1,910 acres) into one hundred and two (102) residential lots and four (4) open space lots. The proposed project includes 101 1-acre residential lots plus one existing single-family residence, a ranch headquarters (includes a homeowner's association facility, recreation center, and community center), 25 acres of internal access roads, and a wastewater treatment plant. The ranch headquarters and wastewater treatment plant are proposed on the open space parcels. A proposed 7.7-acre dude ranch is not included in the Conditional Use Permit, but is included in the FEIR as a future development proposal. The proposed project is within the Agricultural and Rural Lands land use categories and is located approximately two miles south of the City of Arroyo Grande and two miles north of the community of Nipomo, on both the eastern and western sides of Highway 101. Also to be considered is a Final Environmental Impact Report. CONTINUED FROM 9/10/15.

County File Number: SUB2003-00001 and DRC2003-00001

Assessor Parcel Number: 047-051-005; 048-121- 006; 047-311-001, -007, -010, -011; 047-301-002, -003; 075-341-007

Date Accepted: February 5, 2004

Project Manager: Brian Pedrotti

Recommendation: Denial

Eric Meyer: steps down from hearing this item as he was absent during the previous hearings and did not view the live streaming event.

Commissioners: disclose ex-parte contacts.

Brian Pedrotti, Project Manager: presents staff report via a Power Point presentation and introduces Gordon Thrupp (Hydrologist) and Shawna Scott (SWCA EIR Consultant)

Commissioner: asks questions of Mr. Thrupp.

Jim Irving: clarifies his email regarding findings.

Ken Topping: provides reasoning for his email regarding fire safety and access.

Victor Montgomery, agent: available for further comments after the presentation.

Spencer Harris, Geologist: shows a Power Point presentation.

Commissioners: asks questions of the Geologist.

Shawna Scott, SWCA: provides information on estimates and changes in water consumption in terms of landscaping being reduced and increases in turf being used in regards to water consumption rates being less for this proposal.

Ms Abrahimi (attorney for the applicant): confirms statement that Well 11 only draws percolating water.

Ken Topping: opens Public Comment.

Larry Savage, Estar Holiday, El Jay Hannson, James Toomey, Eric Greening, and Arthur Goldener: speak.

Brian Pedrotti, Project Manager & team: addresses Public Comment.

Ms. Abrahimi: discusses public comment in terms of experts used to calculate water.

Commissioners: deliberate proposal and EIR.

Leo Bizanno, Vineyard Manager: explains how many wells service the vineyard.

Adam Fukushima, Cal Trans: discusses access issues in terms of re evaluation of original permit as this was considered agricultural, and provides reasoning.

Travis Craig, Cal Fire: discusses whether or not this proposal meets the access requirements.

Ken Topping: suggests a straw vote to establish individual Commissioners' directions for staff.

Jim Harrison: comments on well levels in the south county in terms of no public complaints about them going dry. Further discusses access and traffic situation. Feels this proposal will eventually come to fruition and would support the alternative solution.

Tim Walters, RRM Design Group: discusses "S" turns in terms of available right of way by the entrance to Laetitia.

Glenn Marshall, Public Works: adds information about improvements to the shoulders of the road. Confirms Public Works has final authority on roadway width and explains how they will determine the width with Mr. Walters responding.

Jim Irving: states if he were to approve this project he would need to see the removal of Well 11 and its use ceased and provides reasoning. Further presents opinion on proposal should the Commission approve this project especially in terms of traffic safety. Has concerns for the long term agricultural production.

Ken Topping: strongly notes his concern for the traffic issue, in terms of access and provides reasoning why he cannot support the proposal.

Don Campbell: has concerns with the shale wells, traffic safety issues, ag. buffers of 170', winery entry and exit, and for these reasons cannot support the proposal.

Ms. Abrahimi: is amenable to the Commission's suggestions of eliminating Well 11, and to a condition removing Lots 86-104 or Phase V.

Jim Irving: states he would be in favor of this proposal if these conditions were met.

Don Campbell: provides reasoning for his concern of the wells drying up and would like to see what mitigations are prepared for this with staff and Mr. Montgomery responding.

Ken Topiing: reads into the record the finding required for approval from map act. States the

primary issue is adequacy and this needs to be affirmatively identified. Would like to know how long it would take to develop revised findings and conditions.

Bill Robeson, Dep. Director: reports January 14, 2016 would be the adequate date for staff to re-write findings and conditions that support an approval for the conditional use permit (CUP) and Tract proposal.

Brian Pedrotti, Project Manager: asks for direction from the Commission for items read into the record.

Whitney McDonald, County Counsel: suggests the commission make their suggested findings at this meeting to avoid Brown Act violations.

Commissioners and staff: deliberate the exact amount of lots in Phase V, and visibility distance of this corridor. Commissioners agree there are 19 lots being removed.

Ms. Abrahimi: reports she cannot contact the Principals of the project and cannot commit to the suggested conditions.

Lynda Auchinachie, Ag. Dept. discusses agricultural clusters.

Commissioners: review the findings for denial in terms of their direction to staff in developing findings and condition of approval.

Bill Robeson: suggest staff return and craft findings for the commission on the 1/14/16 meeting.

Thereafter on **Motion by:** Jim Irving, **Second by:** James Harrison, and on the following vote, the Commission continues this item to January 14, 2016 directing staff to return with Conditional Use Permit (CUP) Tract, and CEQA findings and conditions of approval.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric			x	
Topping, Ken	x			

Thereafter on **Motion by:** Jim Irving, **Second by:** Don Campbell, and on the following vote, the Commission accepts all testimony and correspondence entered into the record.

COMMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don	x			

Meyer, Eric	x			
Topping, Ken	x			

Thereafter on **Motion by:** Don Campbell, **Second by:** James Harrison, and on the following vote, the Commission adjourns this meeting of the Planning Commission to the next regularly scheduled meeting on November 12, 2015.

COMISSIONERS:	AYES:	NOES:	ABSTAIN:	RECUSE:
Harrison, James	x			
Irving, Jim	x			
Campbell, Don	x			
Meyer, Eric	x			
Topping, Ken	x			

**ADJOURNMENT: 3:30**

Respectfully submitted,  
 Ramona Hedges, Secretary  
 San Luis Obispo County Planning Commission

**Minutes approved at the 12/10/15 Planning Commission meeting.**